

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

GAIL S., in her individual capacity,
and as parent and legal guardian
of Minor Plaintiffs, JO. S. and JE. S.,

Plaintiffs,

v.

BUTLER WESLEYAN ACADEMY,
BUTLER WESLEYAN METHODIST
CHURCH, ALLEGHENY WESLEYAN
METHODIST CONNECTION,
PAUL FISH, TEDDY ZEIGLER,
SALLY ZEIGLER, DENNIS J. BALLOCK,
DAVE PATTERSON, CURT FIELD,
KIMBERLY FISH, and
JOHN/JANE DOE(S)

Defendants.

Civil Action No. 2:20-cv-1353

(Judge Cercone)

Electronically Filed

MOTION TO DISMISS

Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, Defendant Allegheny Wesleyan Methodist Connection hereby moves for an order dismissing the complaint in the above-captioned action. In support of its motion Defendant states:

1. The complaint fails to state a claim against this Defendant upon which relief can be granted.

The grounds for Defendant's motion are set forth in the accompanying Memo in Support of Defendant's Motion to Dismiss, dated November 19, 2020. For the reasons appearing therein, Plaintiffs' claim for relief against this Defendant and John/Jane Doe(s) should be dismissed with prejudice. A proposed order is attached.

Respectfully submitted,

Dated: November 19, 2020

/s/ David R. Dye

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Methodist Connection*

CERTIFICATE OF SERVICE

I hereby certify that on November 19, 2020, I electronically filed the foregoing Motion to Dismiss with the United States District Court for the Western District of Pennsylvania via the Court's NextGen CM/ECF system, which will provide electronic notice to:

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/s/ David R. Dye
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Methodist Connection*